

EXHIBIT A

Bond No. 1001208699

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MARILYN GAYE PIETY FOLEY

Plaintiff,

v.

DREXEL UNIVERSITY and
ROGER KURTZ,

Defendants.

: CIVIL ACTION NO.:
: 2:22-cv-01777-WB
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SUPERSEDEAS BOND

KNOW ALL MEN BY THESE PRESENTS, that we, Drexel University, the above-named Defendant, as principal, and U.S. Specialty Insurance Company, as surety, are held and firmly bound unto Marilyn Gaye Piety Foley, the above-named Plaintiff, in the full and just sum of Four Hundred Twenty Five Thousand Nine Hundred Ninety Two Dollars and Ten Cents (\$425,992.10), to be paid to the said Plaintiff, Marilyn Gaye Piety Foley, her certain attorneys, successors, executors, administrators, or assigns; to which payment to be well and truly made we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, by these presents.

Sealed with our seal and dated this 5th day of March, 2025.

WHEREAS, on January 31, 2025, a judgment was rendered in favor of the above-named Plaintiff/Obligee in the amount of \$354,993.42, plus post-judgment interest (the "Judgment")(ECF No. 261), and the above-named Defendant has timely filed a post-trial motion (ECF No. 271) and, if that motion is denied, intends to file an appeal from the Judgment to the United States Court of Appeals for the Third Circuit; and

Bond No. 1001208699

WHEREAS, the said Defendant desires a stay of all proceedings in the above-entitled cause, including enforcement of or execution upon the Judgment, until the determination of Defendant's post-trial motion and any appeal;

NOW, THEREFORE, the condition of this obligation is such that of the said Defendant, Drexel University shall prosecute its post-trial motion and any appeal with effect and shall satisfy the said Judgment in full together with costs, interest, and damages for delay if said appeal is dismissed or if the Judgment is affirmed, and shall satisfy in full such modification of the Judgment and costs, interests, and damages as may be adjudged and awarded by the Appellate Court, then this obligation to be void, otherwise to remain in full force and effect. However, in no event shall the aggregate liability of the surety exceed \$425,992.10.

Drexel University

By: Heidi Y. Bourne

U.S. Specialty Insurance Company, Surety

By: Conway C. Marshall
Conway C. Marshall, Attorney-in-fact



ORDER

The foregoing bond is hereby approved and is to stand as a supersedeas until the final determination of the appeal.

BY THE COURT:

Hon. Wendy Beetlestone
United States District Judge



TOKIO MARINE
HCC

POWER OF ATTORNEY
AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS: That American Contractors Indemnity Company, a California corporation, Texas Bonding Company, an assumed name of American Contractors Indemnity Company, United States Surety Company, a Maryland corporation and U.S. Specialty Insurance Company, a Texas corporation (collectively, the "Companies"), do by these presents make, constitute and appoint:

Andre Autin, Stephen M. Beahm, Kristine Donovan, Clark P. Fitz-Hugh, David Cleveland Joseph, Elizabeth K. Kearney, Catherine C. Kehoe, Conway C. Marshall, Amanda Alice Riedl or Victoria Scruggs of New Orleans, Louisiana

its true and lawful Attorney(s)-in-fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver **any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include riders, amendments, and consents of surety, providing the bond penalty does not exceed** *****Seventy Five Million***** Dollars (***75,000,000.00***). This Power of Attorney shall expire without further action on April 23rd, 2026. This Power of Attorney is granted under and by authority of the following resolutions adopted by the Boards of Directors of the Companies:

Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings, including any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts, and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, The Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 18th day of April 2022.

AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

State of California

County of Los Angeles



By:

Daniel P. Aguilar, Vice President

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

On this 18th day of April 2022, before me, Sonia O. Carrejo, a notary public, personally appeared Daniel P. Aguilar, Vice President of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

(seal)



I, Kio Lo, Assistant Secretary of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Los Angeles, California this 5th day of March, 2025.

Corporate Seals

Bond No.

1001208699

Agency No.

16586



Kio Lo, Assistant Secretary